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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,161	04/04/2005	Ramin Mirbaha	034289-002	6694
21839 7590 11/20/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER NGUYEN, SIMON	
			ART UNIT 2618	PAPER NUMBER
			NOTIFICATION DATE 11/20/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/510,161

Applicant(s)

MIRBAHA ET AL.

Examiner

SIMON D. NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-6, 8-11, 14-15, 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237) in view of Hind et al. (7S 2004/0136358 A1).

Regarding claim 1, Forslow discloses a method for the transmission of information by means of GPRS in an IP network, in particular a wireless LAN, having a preferably mobile terminal which is connected to the IP network so that IP packets can be exchanged, with an IP serving GPRS support node in the IP network (figs.2-3, paragraphs 7-8, 12, 67), wherein, during initialization of the connection between the terminal and the IP serving GPRS support node, a tunnel which tunnels GPRS information is established on the basis of IP packets, wherein the information is transmitted through the tunnel, wherein the IP serving GPRS support node is connected via a network to further serving GPRS support nodes and, depending on the direction of communication in order to send the information to the further serving GPRS support nodes, or packs the information in order to send it through the tunnel to the terminal (paragraph 13, 16, 75-77, figs. 2-3, 6, 9, 12-13). It should be noted that a packet

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information to send or receive inherently pack, repack, or unpack. However, Christoffel fails to disclose a tunnel directly connected between a mobile terminal and a service node.

Hind discloses an IP packet communication network (abstract, figs. 7-8), comprising; establishing a tunnel between a mobile station and a service node (figs. 7-8, paragraphs 22, 66, 69, 77-78). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Hind in order to speed up the transmission packet/voice in the packet/voice communication system.

Regarding claim 8, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 14, this claim is rejected for the same reason as set forth in claim 1.

Regarding claims 20-21, this claim is rejected for the same reason as set forth in claim 1, wherein a software for a terminal to exchange the information to a GPRS via the tunnel is inherently in the system of Forslow.

Regarding claim 2, Forslow discloses the mobile station transmits/receives the packet information in a GPRS, which means the mobile station inherently includes a program for unpacking the packet information.

Regarding claims 3, 18, Forslow further discloses authenticating the mobile terminal (paragraphs 10, 78, figs. 9, 12).

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Regarding claims 5, 10, Forslow further discloses a HLR for determining a terminal based on an IP address and the address of the GPRS (paragraphs 10-11, 13, 50-51, 75, 79, 99, 101-105).

Regarding claims 6, 11, Forslow further discloses a handover of the mobile terminal between base stations (paragraph 9).

Regarding claim 9, Forslow further discloses gateway functionality for routing the packet information to other networks (abstract, paragraphs 8, 12, 28-29, 50, 60, 63, 76, 65, 101, 106).

Regarding claim 15, Forslow further discloses the device used in a WLAN and GSM (paragraphs 43, 48, 83, 107).

Regarding claim 19, Forslow further discloses a software layer to an IP stack (figs. 3, 6, 9).

3. Claims 4, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237) in view of Hind et al. (US 2004/0136358 A1), and further in view of Forslow (6,937,566).

Regarding claims 4, 13, Forslow fails to disclose broadcast message.

Forslow (566) discloses the same type of invention, in which broadcast messages are used to seek an IP serving GPRS support node in the IP network in order to establish a tunnel (column 9 lines 34-45, column 10 lines 1-3). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Forslow, modified by Forslow –566 in order to reach a plurality of

mobile stations with one message which is potentially save time as well to free up the channel bandwidth.

4. Claims 7, 12, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237), in view of Hind et al. (US 2004/0136358 A1), and further in view of Maclean (2002/0101859).

Regarding claims 7, 12, 17, Forslow fails to teach the encryption.

Maclean discloses encrypting a packet in a GPRS system with an IPSse (paragraphs 37, 51). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified Forslow, modified by Maclean in order to only allow an authenticated user to open the packet.

5. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237), in view of Hind et al. (US 2004/0136358 A1), and further in view of Widegren et al. (2002/0036983).

Regarding claim 16, Forslow discloses the mobile station located by an IP address, which means the mobile station including a conversion for converting the IP address. However, Forslow does not specifically disclose Ipv4, Ipv6.

Widegren discloses a packet switching having versions Ipv4, Ipv6 (paragraph 149). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Widegren in order to correctly allow the routing of the packet.

6. Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Forslow (2003/0039237), in view of Hind et al. (US 2004/0136358 A1), and further in view of Christoffel et al. (2002/0136226).

Regarding claim 22-23, the modified Forslow teaches the transmission packet used in different networks (paragraphs 13, claim 20). However, the modified Forslow does not specifically disclose including UTMS.

Christoffel teaches a tunnel established between a mobile station and a service node for an IP/ WLAN packet system, including GSM, UTMS (abstract, paragraphs 11, 118, 135). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have Forslow, modified by Christoffel to communicate packet with different networks with one communication device, which can be saved time and money.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Christoffel et al. (US 2002/0136226) discloses a WLAN-IP packet system in which a tunnel is established between a mobile station and a service node (figs. 1, 4, 6-7, 18, paragraphs 7, 74, 85); Soininen et al. (US 2003/0152048) (fig. 4, paragraphs 20, 22, 35).

Response to Arguments

8. Applicant's arguments with respect to claims 1, 8, 14, 20 have been considered but are moot in view of the new ground(s) of rejection.

The new cited art issued to Hind discloses an IP tunnel is established from a mobile station to a service node (see the rejection above). Furthermore, other prior arts can also be used to reject this limitation such as the references issued to Christoffel, et al. (US 2002/0136226)(figs. 1, 4, 6-7, 18, paragraphs 7, 74, 85) and Soininen et al. (US 2003/0152048) (fig.4, paragraphs 20, 22, 35).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Nguyen whose telephone number is (571) 272-7894. The examiner can normally be reached on Monday-Friday from 7:00 AM to 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (571) 272-7899.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 306-0377.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

600 Dulany, Alexandria, VA 22314

Or faxed to:

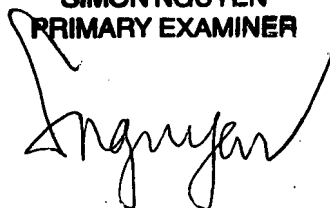
(571) 273-8300 (for formal communications intended for entry)

Hand-delivered response should be brought to Customer Service Window located at the Randolph Building, 401 Dulany, Alexandria, VA, 22314.

Simon Nguyen

November 7, 2007

SIMON NGUYEN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'S. Nguyen', is written over the printed name and title.